



IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Newport News Division

UNITED STATES OF AMERICA)	
)	
v.)	CRIMINAL NO. 4:23-cr-4
)	
MARCUS BUSHNELL,)	
)	
Defendant.)	

STATEMENT OF FACTS

By signing below, the parties stipulate that the following facts are true and correct, and that had the matter gone to trial, the United States of America would have proven them beyond a reasonable doubt, by competent and admissible evidence.

1. MARCUS BUSHNELL, the defendant herein, lived in Newport News, Virginia, in the Eastern District of Virginia.

2. On November 8, 2021, the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) utilized a confidential informant (CI) to purchase a Glock firearm and a Glock conversion device, referred to as a "Glock Switch," from the defendant for \$2,000.00. Electronic surveillance equipment captured the controlled transaction.

3. Starting earlier on November 7, 2021, the CI and the defendant began a series of communications via text message. The CI inquired whether the defendant could sell him a firearm and a "Glock Switch". The defendant indicated that he could sell the CI a firearm and Glock Switch.

4. On November 8, 2021, the defendant met with the CI. The CI was in possession of the \$2,000, provided to the CI by ATF. In addition, the CI was wearing a recording device that

22
MO
EWA

captured the meeting with the defendant. During the meeting, the CI provided the defendant with \$2,000.00 and the defendant provided the CI with a Glock 19 firearm and a Glock Switch.

5. ATF agents retrieved the Glock Firearm and the Glock Switch purchased from the defendant on November 8, 2021 and sent the Glock Switch to the ATF's Firearms Technology Criminal Branch, which among other things analyzes items to determine whether they are machineguns or other items subject to the provisions of the National Firearms Act (NFA). The Branch prepared a Report of Technical Examination, finding that the Glock Switch is a weapon which converts a firearm into a device that shoots, automatically more than one shot, without manual reloading, by a single function of the trigger, and is, therefore, a "machinegun" as defined in 26 U.S.C. § 5845(b) and 18 U.S.C. § 921(a)(23). The Branch further reported that the switch bore no NFA manufacturer's marks of identification or serial numbers.

72
MB
CMA

6. The defendant stipulates and agrees that he committed the acts described herein unlawfully, knowingly, and willfully, and without legal justification or excuse with the specific intent to do that which the law forbids, and not by mistake, accident, or any other reason. The defendant further acknowledges that the foregoing statement of facts does not describe all of his conduct relating to the offenses charged in this case, nor does it identify all of the persons with whom he may have engaged in illegal activities.

Respectfully Submitted,

Jessica D. Aber
United States Attorney

By:


Eric M. Hurt
Assistant United States Attorney

7C
MB
EWH

After consulting with my attorney, I hereby stipulate that the above Statement of Facts is true and accurate, and that had the matter proceeded to trial, the United States could prove these facts beyond a reasonable doubt.



MARCUS BUSHNELL
Defendant

I am counsel for MARCUS BUSHNELL. I have carefully reviewed the above Statement of Facts with him. To my knowledge, his decision to stipulate to these facts is an informed and voluntary one.



Rodolfo Cejas
Defense Counsel

22
MB
EWH